



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

Law and Justice Interim Committee

60th Montana Legislature

SENATE MEMBERS

LARRY JENT
CAROL JUNEAU
JESSE LASLOVICH
DANIEL MCGEE
GARY PERRY
JIM SHOCKLEY

HOUSE MEMBERS

SHANNON AUGARE
BOB EBINGER
KRAYTON KERNS
DEBORAH KOTTEL
TOM MCGILLVRAY
RON STOKER

COMMITTEE STAFF

SHERI HEFFELFINGER, Lead Staff
VALENCIA LANE, Staff Attorney
DAWN FIELD, Secretary

DRAFT AGENDA

Revised as of 3/20/08

Thursday and Friday, April 10-11, 2008
Room 137, Capitol, Helena

* * * *

THURSDAY, APRIL 10, 2008

10:00 a.m. Convene, Roll Call
Approval of minutes from Feb. 28-29, 2008, meetings

In-state residential psychiatric treatment for youth

Question: Should there be dedicated state-contracted or state-operated residential psychiatric treatment beds for mentally ill youth? If so, what do you propose?

10:15 a.m. Steve Gibson, Youth Services Division Administrator, Dept. of Corrections

10:45 a.m. Department of Public Health and Human Services

11:15 a.m. Bob Peake, Youth Court Services, Juvenile Probation

11:30 a.m. Public comments from advocacy groups, families, consumers, other interested persons

12:00 noon LUNCH

1:00 p.m. Committee discussion and work session

HJR 50 - Involuntary Commitment process and costs

Question: Are changes needed to the statutory language governing the adult mental health involuntary commitment statutes? If so, what do you propose?

1:45 p.m. Sheri Heffelfinger, staff report on HJR 50 survey results

2:15 p.m. Montana County Attorney's Association

2:35 p.m. Office of Public Defender

3:00 p.m. BREAK

3:15 p.m. Ed Amberg, Administrator, Montana State Hospital and Joyce DeCunzo, Addictive and Mental Disorders Division, DPHHS

3:45 p.m. Public comments from advocacy groups, families, consumers and other interested persons

page 2
DRAFT AGENDA
* * * *

4:15 p.m. Committee work session on HJR 50 and involuntary commitment process and costs

Kendra's Law

4:45 p.m. Sheri Heffelfinger, staff report summarizing the main components of Kendra's Law

5:00 p.m. Public comment

Recess

FRIDAY, APRIL 11, 2008

Jail and prison standards

Questions: Should the committee: (1) request further collection of data and information regarding prison and/or jail mental health treatment standards, including suicide prevention plans; and (2) should the committee consider legislation to clarify or enact constitutionally-based mental health treatment standards in prisons and/or jails.

8:00 a.m. Department of Corrections

8:45 a.m. Montana Sheriffs' and Peace Officers Association (MSPOA)

9:30 a.m. Montana Mental Health Association

9:45 a.m. Disability Rights Montana

10:00 a.m. BREAK

10:30 a.m. Public comment

11:00 a.m. Committee discussion and work session

12:00 noon LUNCH

1:00 p.m. Deb Matteucci, analysis of California's Prop. 36 compared to Montana practices

1:15 p.m. District Judge Salaries

-- Sheri Heffelfinger, staff report on how salaries are determined for district judges and how it would be determined under Sen. Shockley's proposal, and on estimated costs

-- Public comment

1:45 p.m. Medical costs incurred by hospitals for county "inmates"

-- Valencia Lane, staff attorney, discussion bill draft

-- Public comment

2:00 p.m. Other Issues: Possible legislation, action, products, or recommendations

-- clarification/clean-up legislation to clarify of "friend of the respondent" pursuant to a recent Supreme Court decision

-- clarification/clean-up legislation to fix a reference to Judicial District 22, as recommended by Code Commissioner

page 3
PROPOSED AGENDA
* * * *

-- youth detention legislation recommended by Youth Justice Working Group:

- ▶ to require that a youth be represented by an attorney at the detention hearing (unless waived after consulting an attorney prior to the hearing)
- ▶ to increase the time limit in which a detention hearing must be held from 24 hours (current state law) to 48 hours (federal law)
- ▶ to provide that a youth may not waive the right to an attorney without first consulting an attorney

-- drug court legislation discussed in a staff report to the Adult Justice Working Group:

- ▶ to amend drug court statutes with respect to any state-level administrative responsibilities such as coordination and data collection and reporting, grant program language such as statutorily provided account and program structure, clean-up of outdated language

-- mental health court legislation ideas identified in Brenda Desmond's presentation to the Adult Justice Working Group:

- ▶ grant program for any "treatment court" (not just drug courts)
- ▶ grant program to require local match
- ▶ amend 46-18-236, MCA to allow extra charge for conviction as funding source for mental health courts

-- referral of issues to other entities:

- ▶ to Children, Families, Health and Human Services Interim Committee
- ▶ to Education and Local Government Interim Committee
- ▶ others?

-- emerging issues

- ▶ sex offender registration, federal deadlines related to tier classifications

Staff update on status of Committee's (Youth Justice Working Group's) information request to the Children's Systems of Care Committee

2:45 p.m. Public comment

3:15 p.m. Committee discussion, actions, instructions to staff

Adjournment

Note: The Montana Legislative Services Division will make reasonable accommodations for persons with disabilities who wish to participate in this public meeting. If you require an accommodation, please contact Sheri Heffelfinger at 406-444-3596 or by email, sheffelfinger@mt.gov, at least 5 days prior to the meeting date to discuss the nature of the accommodation you need.